

UNITED STATES DISTRICT COURT
for the
Eastern District of Pennsylvania

United States of America
v.
ANTHONY FRANCIS NERO

Case No. 21-MJ-330

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 7-20, 2021 in the county of Montgomery in the
Eastern District of Pennsylvania, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. 875(c)

Threatening Communications

18 U.S.C. 2261A(2)(A) & (B)

Cyberstalking

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.

/s/ Lorelei Schreier

Complainant's signature

Lorelei Schreier, FBI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: March 2, 2021

/s/ Elizabeth T. Hey

Judge's signature

City and state: Philadelphia, PA

Hon. Elizabeth T. Hey, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Lorelei Schreier, being duly sworn under oath and deposed, state the following:

1. I am a Special Agent with the Federal Bureau of Investigation (“FBI”) and have been since July 5, 2010. I am currently assigned to the Philadelphia Field Office, in the Fort Washington Resident Agency. While employed by the FBI, I have investigated federal criminal violations related to financial crimes, including bank fraud, mail fraud, wire fraud, securities fraud, and identity theft schemes, as well as violent crimes. I also have received training at the FBI Academy and elsewhere in conducting various computer-based crimes. As a federal agent, I am authorized to investigate violations of laws of the United States and to execute warrants issued under the authority of the United States.

2. This affidavit is being submitted in support of a criminal complaint and arrest warrant charging ANTHONY FRANCIS NERO (DOB: 1/16/1973), of Norristown, Pennsylvania, with violations of Title 18, United States Code, Section 875(c) (threatening communications) and 2261A(2)(A) & (B) (cyberstalking).

3. This affidavit is based upon my personal knowledge, experience and investigation, as well as information related to me directly or through reports of other FBI agents, Norristown Police Department officers, and other law enforcement officers in the course of their official duties. Throughout this affidavit, reference will be made to “agents,” referring to those federal, state and local law enforcement officers who have directly participated in the investigation, and with whom I have had regular contact.

4. Because this affidavit is submitted for the limited purpose of obtaining a criminal complaint, I have not included all information known by me or other agents concerning this investigation. I have set forth only those facts I believe are essential to

establish the necessary foundation for the criminal complaint. This affidavit does not exhaust my knowledge or that of other agents of the facts and circumstances surrounding this investigation.

5. On January 7, 2021, at approximately 12:42 p.m. ET, the Montgomery County Democratic Party (“MCDP”) in Norristown, Pennsylvania received a threatening electronic message via a contact form to the MCDP website from IP address 174.198.28.251, which stated as follows:

Name: Silent Majority
Email: FuckJoeBiden@coupdetat.com

Comment: Just wanted to let your offices know that you should probably beef up security. With this stolen election and Coup d'etat, violence is the only language you bloodsuckers understand. Fuck you and your BLM bullshit along with ANTIFA. We WILL end this insurrection. Again, TRUMP YOU!! You fucking traitors. Random acts of violence are difficult to investigate. Have fun.

6. On or about January 19, 2021, an MCDP member entered and spent time at the MCDP’s office space – located at 21 E. Airy Street, Norristown, Pennsylvania 19401 – and did not notice anything unusual.

7. On or about January 20, 2021, MCDP officials discovered that the front window to their office space had been shot through three times. Three bullets – two of which were recovered – were found to have struck a wooden desk. NPD officers inspected the bullets and determined that they appeared to have been fired from a .45 caliber handgun.

8. On January 22, 2021, Verizon provided records pursuant to a grand jury subpoena indicating that 197 phone numbers were found to be in contact with that Verizon IP address 174.198.28.251 on January 7, 2021 at approximately 12:42 p.m. ET.

9. On February 16, 2021, Norristown Police Department (“NPD”) received information from a confidential source (“CS #1”), who stated that Anthony Nero had been

threatening various officials in the Democratic party. CS #1 also provided 484-944-4962 (the SUBJECT PHONE) as Nero's cell phone number.

10. Notably, 484-944-4962 is one of the phone numbers that was in contact with Verizon IP address 174.198.28.251 on January 7, 2021 at approximately 12:42 p.m., when the above threatening contact form was electronically sent to the MCDP.

11. Further, NPD located a February 4, 2011 record of sale for a .45 caliber handgun to Anthony Francis Nero with a date of birth (1/16/1973) that matches Pennsylvania Department of Transportation records for Anthony F. Nero of Norristown, Pennsylvania.

12. On February 17, 2021, state search warrants were executed authorizing NPD to search Nero's home at 268 Bean Road, Norristown, Pennsylvania, his vehicle, a 1999 Lexus RX 300, and his person to search for firearms and a cell phone utilizing the number 484-944-4962 (the SUBJECT PHONE). That same day, NPD officers encountered Nero in his Lexus in the area of 236 West DeKalb Pike in Norristown. Upon being served with the warrants, Nero advised NPD officers that he possessed a .45 caliber firearm in the cargo area of his vehicle. Subsequently, NPD officers located a Springfield Armory .45 caliber 1911-A firearm, bearing serial number WW89605, from a tactical bag in the back of Nero's Lexus, with one round in the chamber and five rounds in the magazine.

13. Later on February 17, 2021, Nero consented to an interview and agreed to be transported via NPD police officers while a court ordered search was being conducted on his vehicle. At approximately 5:28 p.m., NPD Corporal James Angelucci and I spoke with Nero at NPD, located at 235 E. Airy Street, Norristown, Pennsylvania. After formal introductions were made, I advised Nero that he was not in custody, was free to leave at any time, and was not required to answer any of the questions being asked. Nero agreed to continue his

conversation with Corporal Angelucci and me. After initially denying his conduct, Nero admitted that he was involved in the threatening communication sent to the MCDP on January 7, 2021. As a result, Nero was advised of and signed a written *Miranda* waiver of his rights and made several admissions, including but not limited to the following:

- a. Nero left the online comment with the MCDP as set forth in Paragraph 5 above.
- b. On one early morning in January, at approximately 12:30 a.m., Nero fired three shots at the MCDP office in Norristown using his Springfield Armory 1911.
- c. Nero sends and receives most of his electronic communications through his cell phone.

14. After he was served with a state search warrant for the seizure of his cellular telephone, Nero turned over the cellular telephone (the SUBJECT PHONE) to NPD. Nero voluntarily provided the passcode to law enforcement for access to the SUBJECT PHONE.

15. On February 19, 2021, the Honorable Carol S. Wells, United States Magistrate Judge, issued a federal search warrant for the SUBJECT PHONE.

16. On February 22, 2021, pursuant to the federal search warrant, I obtained the SUBJECT PHONE from NPD and provided the SUBJECT PHONE to the FBI's Regional Computer Forensics Lab ("RCFL"), which produced a forensic image of the device as well as a forensic report. I have reviewed a copy of RCFL's forensic report for the SUBJECT PHONE, which included the following evidence:

- a. A Facebook message, dated January 6, 2021 at 11:48 p.m. ET, was sent from the Facebook messenger application to an unknown recipient, stating "okay, so you're

not answering. Hopefully you are home. If not, I'm going to go find a local Democrat Office and shoot it up. LOL."

b. Fields in the Mozilla Firefox web browser form history,¹ dated January 7, 2021 at 5:42 p.m. UTC (corresponding to 12:42 p.m. ET) contained information matching the threatening message sent electronically via contact form to the MCDP website on that same date and time, including the fields "Silent," "Majority," and "fuckjoebiden@coupdetat.com"

c. Fields in the Mozilla Firefox web browser form history, dated January 7, 2021 at 6:05 p.m. UTC (corresponding to 1:05 p.m. ET) contained the fields "21 E Airy St," "Norristown," and "19401," which match the address of the MCDP's offices.

17. In addition, my examination of the SUBJECT PHONE's settings (while in "airplane mode" so as to disable its cellular radio, Wi-Fi, and Bluetooth functions) has confirmed that it utilized Verizon as a cellular service provider.

18. Based on the above, I believe probable cause exists that, from on or about January 7, 2021 to on or about January 20, 2021, in the Eastern District of Pennsylvania, ANTHONY FRANCIS NERO (DOB: 1/16/1973), of Norristown, Pennsylvania, committed

¹ See <https://support.mozilla.org/en-US/kb/firefox-doesnt-save-web-form-entries#:~:text=Select%20the%20Privacy%20%26%20Security%20panel,history%20for%20the%20Search%20bar> (last visited February 28, 2021) ("Firefox can remember what you've entered in forms on web pages, also known as text fields. After you've entered something into a form on a web page (such as a search box), the next time you visit that page, your previous entry should be available to re-use.")

violations of Title 18, United States Code, Section 875(c) (threatening communications) and 2261A(2)(A) & (B) (cyberstalking).

/s/ Lorelei Schreier
LORELEI SCHREIER
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me
this 2nd day of March, 2021

/s/ Elizabeth T. Hey
HONORABLE ELIZABETH T. HEY
United States Magistrate Judge